

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

RAYMOND DALE HOLLAND  
CAROL ANN HOLLAND

CASE NO: 09-70456-HDH-13  
HEARING DATE: 5/26/2010  
HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2009-03 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
015 0 U	HULL & ASSOCIATES PC	\$1,200.00	016 0 U	HULL & ASSOCIATES PC	\$6,385.88

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	CITIZENS AUTO FINANCE	2006 ESCAPE	\$12,524.11	\$15,100.00	7.00%	55	\$308.27 PAID BY TRUSTEE
	Extended term from 46 to 55 months. See modification below.						
009 0	BURKBURNETT ISD	2009 PROPERTY TAXES	\$839.33	\$1,830.50			PD DIRECT BY DEBTOR
010 0	HSBC	HOMESTEAD	\$0.00	\$79,071.00			PD DIRECT BY DEBTOR
021 0 *	WICHITA COUNTY	09 PROPERTY TAXES - 216 DOGWOOD LN	\$794.67	\$79,071.00			PD DIRECT BY DEBTOR

Not provided for in confirmed plan. See modification below.

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
011 0 U	BLUE CROSS TEXAS FEDERAL CREDIT UNION	\$2,276.27	012 0 U	CAPITAL ONE PURCHASES	\$8,471.59
013 0 U	CAPITAL ONE PURCHASES	\$4,931.94	014 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/HSBC	\$1,024.68
017 0 U	NATIONAL CAPITAL MANAGEMENT PURCHASES	\$4,872.17	022 0 U *	SHERMAN ACQUISITION LP PURCHASES/PROVIDIAN - JUDGMENT	\$23,158.32
				Not provided for in confirmed plan.	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2009-03 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Wichita County in the amount of \$794.67 shall be valued at \$79,071 and paid direct.

All secured creditors treated through the plan shall be treated over 55 months.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/26/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2009-03 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

BLUE CROSS TEXAS FCU 901 S CENTRAL EXPY RICHARDSON TX 75083  
BLUE CROSS TEXAS FEDERAL CREDIT UNION PO BOX 833937 RICHARDSON TX 75083  
BURKBURNETT ISD PO BOX 608 BURKBURNETT TX 76354  
CAPITAL ONE 6125 LAKEVIEW ROAD, STE 800 CHARLOTTE NC 28269  
CITIZENS AUTO FINANCE 480 JEFFERSON BLVD RJE 135 WARWICK RI 02886  
CITIZENS AUTOMOBILE FINANCE INC PO BOX 255587 SACRAMENTO CA 95865  
CITY OF BURKBURNETT, ISD, WICHITA COUNTY C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131  
HSBC BANK PO BOX 5253 CAROL STREAM IL 60197  
HSBC PO BOX 15522 WILMINGTON DE 19850  
HULL & ASSOCIATES PC 6200 SAVOY SUITE 440 HOUSTON TX 77036  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
NATIONAL CAPITAL MANAGEMENT 8245 TOURNAMENT DRIVE STE 230 MEMPHIS TN 38125  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
RAYMOND DALE HOLLAND & CAROL ANN HOLLAND 216 DOGWOOD BURKBURNETT TX 76354  
SHERMAN ACQUISITION LP C/O HULL & ASSOCIATES PC 6200 SAVOY SUITE 440 HOUSTON TX 77036  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO FINANCIAL NATIONAL BANK 4137 121ST STREET URBANDALE IA 50323  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242